



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
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ROOM 400
NEW YORK, NEW YORK 10281-1022

January 28, 2016

Via ECF and Facsimile (212-805-7920)

Hon. Shira A. Scheindlin
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: SEC v. Adondakis, et al., 12 Civ. 0409 (SAS)

Dear Judge Scheindlin:

On behalf of Plaintiff Securities and Exchange Commission, this letter responds to the letter motion filed today by defendant Diamondback Capital Management, LLC ("Diamondback") seeking to vacate the judgment entered against it in the above-referenced action.

In light of the particular circumstances of this matter, the Commission does not oppose Diamondback's letter motion. We note, however, that our position on his letter motion should not be construed to indicate agreement with all of the arguments contained in it.

We are available to discuss these issues further at the Court's convenience. The undersigned can be reached at 212-336-0535 or rielyc@sec.gov.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Charles D. Riely", is written over a horizontal line.

Charles D. Riely

cc: All Counsel (via ECF)